

REMARKS

Reconsideration and allowance are respectfully requested.

Claims 1, 2 and 5-25 are pending.

The Examiner states that claims 11, 14-15, 20, 23 and 24 are withdrawn from consideration as being dependent on a nonelected species. The Examiner has also rejected claims 21 and 22 under §112 as being indefinite for depending from nonelected claim 20.

Applicant respectfully traverses the withdrawal and rejection under §112. Each of claims 11-16 are generic as they can be applied to any of the four species disclosed in the specification. Support for this can be seen in claims 11-16 as originally filed which made clear that the further limitations contained in those claims could be applied to any of the disclosed embodiments. The description of the invention of the specification has been amended to substantially include the text found in original claims 11-15 to provide support in the description of the invention portion of the specification for these claims. No new matter is added since the substance of the addition was in the application as originally filed. Each of claims 20-25 read on the elected species of Figs. 1-3, as stated in the Response of August 5, 2003. Claims 20-25 parallel claims 11-16 but are all restricted to the elected species by virtue of depending from claim 6. Claims 20 and 25 depend from elected claim 6 and claims 21-24 depend from claim 20. In view of this, all of claims 1, 2, 5-6, 11-16 and 20-25 should be in consideration.

A new IDS resubmitting references AT002658 and CH320348 is submitted herewith.

Also submitted herewith is a copy of EP0958900B1 which is a counterpart to AT002658, and includes an English translation of the claims. An English abstract for AT 002658 is also included.

The AT002658 reference does not disclose or suggest the invention of claim 1. It discloses the use of self-clamping fitting elements are provided in connection with a releasable connection

which is contrary to the simple and effective solution in accordance with the invention of claim 1, i.e. a plain lock seam connection, having inclined flanks.

The following is a brief description of the invention of CH320348. The knife holder 1 has a recess 2, which is undercut at end 3. The high-quality steel cutting knife 4 has a corresponding form to recess 2. In order to insert the knife 4 into the holder 2, the length a of the recess 2 must be longer than the length b of the knife 4 by about the length c. When the knife blade 4 is engaged with the blade holder 1 so that the counterpart undercut portions engage each other, a gap is formed at the other end of the knife 4 between the knife 4 and the knife holder 1. If this gap is filled only with cement, then the cement has to bear the pressure on the knife. Since this cement layer must amount to several millimeters thickness, it would be squeezed out after solidification. For this purpose, a metal wedge 5 (Fig. 1a) is inserted into the gap, so that between the knife and the knife blade generally only a thin cement layer is required, which can withstand the pressure on the knife. Fig. 4 shows a further embodiment of the knife. With this connection of knife and holder, the two parts of that holder 1a and the knife 4a with parallel slots and ribs interlink in such a manner that the two parts can be pushed into one another and held together by their respective surfaces, whereby the knife is supported against pressure. The holder can be as thick during this execution as the knife.

CH320348 is directed to a two piece knife assemble having a knife (blade) and a knife holder and is not comparable to the three piece knife of claim 1 having a knife support, blade holder and blade.

In view of this, Applicant has complied with the requirements for having these references considered and it is respectfully requested that these references be considered and the PTO Form 1449 be initialled to denote such consideration and returned with the next action.

The drawings stand objected to.

Submitted herewith under separate cover is a proposed revision to the Figure, identifying the boundary faces in the figures. A corresponding amendment has also been made in the

specification. No new matter has been added as these revisions merely reference the boundary faces already disclosed in the specification and figures.

In view of this, it is respectfully requested that this objection be withdrawn.

Claims 1-2, 5-6, 16 and 25 stand rejected under §103(a) as being unpatentable over Stauber in view of Aspinwall

Applicant respectfully traverses this rejection. Claim 1 has been amended to require that “the knife support have a seam-shaped cutout opposite a cutting edge of the blade for receiving the blade holder in a flat and flush manner, and boundary faces of the seam-shaped cutout at the inner end, the same as the boundary faces of the blade holder acting together with them, each extend at an angle of $< 90^\circ$ with respect to each other.”

The device of Aspinwall includes a body 11 having a recess 13 having a socket 12 for receiving a beveled edge 22 of a cutting bit 15. A clamping block 18 disposed opposite the socket 12 clamps the cutting bit in the recess 13. However, the socket 12 and beveled edge 22 are disposed at a right angle to the cutting edges 19 of the cutting bit 15. The socket and beveled edge 22 are not disposed opposite the cutting edge of the cutting bit 15, as required in amended claim 1. Nor does Aspinwall disclose the use of a blade, blade holder and a knife support but rather clamps the cutting bit 15 directly to body 11.

Combining Aspinwall with Stauber would not result in the present invention. First, any socket surfaces and beveled edges of components of such a combination would have to be at a 90° angle to the cutting edge (i.e., to the side of the cutting and not opposite the cutting edge as required in claim 1. Further, Aspinwall teaches is directed to the mounting of the blade itself and when combined with Stauber would teach a blade to blade holder arrangement, not a connection between a blade holder and knife support as claimed in claim 1.

For these reasons, claim is not anticipated or rendered obvious by either Stauber or Aspinwall, alone or in combination, and it is respectfully requested that the rejection of claim 1 be withdrawn.

Claims 12 and 13 stand rejected under §103(a) as being unpatentable over Stauber in view of Aspinwall and further in view of Kutchmarek.

Claims 13 and 22 stand rejected under §103(a) as being unpatentable over Stauber in view of Aspinwall and further in view of Houser.

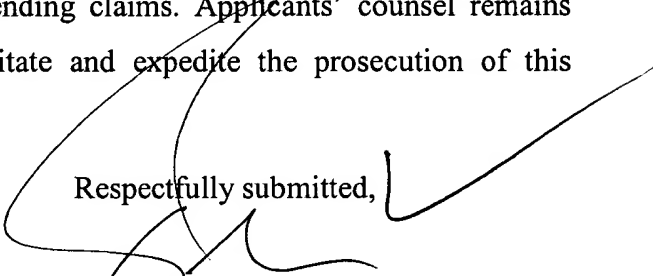
Claims 2, 5-6, 11-16 and 20-25 all depend from claim 1 and are allowable for the reasons set forth above, as well as for the further limitations contained therein. Therefore, it is respectfully requested that the rejection of these claims be withdrawn.

It is also respectfully requested that claims 7-10 and 17-19, drawn to a nonelected species, be considered and allowed as such claims all depend from allowable generic claim 1.

Claims 12, 15, 21 and 24 have been amended to remove limitations, which limitations are then presented in new claims 26-29.

Claims 16 and 25 have been amended to remove the mean plus function limitations.

All matters having been addressed above and in view of the pending claims and remarks, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims. Applicants' counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this application.

Respectfully submitted, 

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